

Senate Study Bill 1024 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON KAPUCIAN)

A BILL FOR

1 An Act relating to electric standup scooters, and providing
2 penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2019, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 20C. *“Electric standup scooter”* means any
4 device weighing less than one hundred pounds that is equipped
5 with two or three wheels, handlebars, and a floorboard capable
6 of supporting a standing rider, and which is solely powered by
7 the rider or by an electric motor capable of propelling the
8 device, with or without additional propulsion supplied by the
9 rider, at a maximum speed on a paved level surface of no more
10 than twenty miles per hour, or both.

11 Sec. 2. Section 321.1, subsection 90, Code 2019, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. e. An electric standup scooter.

14 Sec. 3. NEW SECTION. **321.235B Electric standup scooters.**

15 1. A person may operate an electric standup scooter on
16 highways, bikeways, and sidewalks in accordance with this
17 section.

18 2. A person operating an electric standup scooter on a
19 highway is subject to the provisions of this chapter applicable
20 to a rider of a bicycle on a highway and has all the rights and
21 duties under this chapter applicable to a rider of a bicycle,
22 except those provisions of this chapter which by their nature
23 can have no application, or except as otherwise provided in
24 this section.

25 3. Except for provisions of the Code made specifically
26 applicable to electric standup scooters in this section,
27 electric standup scooters are not subject to provisions of the
28 Code applicable to vehicles, including provisions relating to
29 all of the following:

30 a. Licensure, registration, titling, inspection, and proof
31 of financial liability coverage.

32 b. Possession of a driver’s license or permit.

33 c. The rental of motor vehicles.

34 4. A person operating an electric standup scooter on a
35 bikeway or sidewalk shall do all of the following:

1 a. Yield the right-of-way to pedestrians and human-powered
2 devices.

3 b. Give an audible signal before overtaking and passing a
4 pedestrian or human-powered device.

5 5. An electric standup scooter shall, at the times specified
6 in section 321.384, be equipped with lamps or reflectors as
7 required for bicycles under section 321.397.

8 6. A person may park an electric standup scooter at any
9 location where parking a bicycle is allowed. However, by
10 parking an electric standup scooter, a person shall not impede
11 the normal or reasonable movement of pedestrian or other
12 traffic.

13 7. A person convicted of a violation of this section is
14 guilty of a simple misdemeanor punishable as a scheduled
15 violation under section 805.8A, subsection 9A.

16 Sec. 4. Section 805.8A, subsection 9A, Code 2019, is amended
17 to read as follows:

18 9A. *Electric personal assistive mobility device*
19 *violations.* For electric device violations under ~~section~~
20 ~~321.235A~~ the following sections, the scheduled fine is ~~fifteen~~
21 ~~dollars.~~ as follows:

22 a. Section 321.235A.....\$15.

23 b. Section 321.235B.....\$15.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill regulates the operation of electric standup
28 scooters. The bill defines "electric standup scooter" to mean
29 any device weighing less than 100 pounds that is equipped with
30 two or three wheels, handlebars, and a floorboard capable of
31 supporting a standing rider, and which is solely powered by
32 the rider or by an electric motor capable of propelling the
33 device, with or without additional propulsion supplied by the
34 rider, at a maximum speed on a paved level surface of no more
35 than 20 miles per hour, or both. The bill excludes electric

1 standup scooters from the definition of "vehicle" under Code
2 section 321.1, thereby making the provisions of Code chapter
3 321 (motor vehicles and law of the road) relating to vehicles,
4 motor vehicles, automobiles, and cars inapplicable to electric
5 standup scooters.

6 The bill authorizes a person to operate an electric standup
7 scooter on highways, bikeways, and sidewalks.

8 The bill provides that a person operating an electric
9 standup scooter on a highway is subject to the provisions
10 of Code chapter 321 applicable to a rider of a bicycle on a
11 highway and has all the rights and duties under Code chapter
12 321 applicable to a rider of a bicycle, except those provisions
13 which by their nature can have no application, or except as
14 otherwise provided in the bill. Under Code section 321.234,
15 a person riding a bicycle on a highway is subject to the
16 provisions of Code chapter 321 and has all the rights and
17 duties applicable to a driver of a vehicle, except those
18 provisions which by their nature can have no application. Code
19 section 321.194 also prohibits a person from using a bicycle on
20 a highway to carry more persons at one time than the number of
21 persons for which the bicycle is designed and equipped. Code
22 section 321.281 prohibits a person operating a motor vehicle
23 from steering the motor vehicle unreasonably close to or toward
24 a person riding a bicycle on a highway, including the roadway
25 or the shoulder adjacent to the roadway, and prohibits a person
26 from knowingly projecting any object or substance at or against
27 a person riding a bicycle on a highway. Code section 321.434
28 prohibits a bicycle from being equipped with, and a person from
29 using upon a bicycle, any siren or whistle.

30 The bill provides that except for provisions of the Code made
31 specifically applicable to electric standup scooters in the
32 bill, electric standup scooters are not subject to provisions
33 of the Code applicable to vehicles, including provisions
34 relating to licensure, registration, titling, inspection, proof
35 of financial liability coverage, possession of a driver's

1 license or permit, and the rental of motor vehicles.

2 The bill requires a person operating an electric standup
3 scooter on a bikeway or sidewalk to yield the right-of-way
4 to pedestrians and human-powered devices, and to give an
5 audible signal before overtaking and passing a pedestrian or
6 human-powered device.

7 The bill requires an electric standup scooter to, at the
8 times specified in Code section 321.384, be equipped with lamps
9 or reflectors as required for bicycles under Code section
10 321.397. The times specified in Code section 321.384 include
11 any time from sunset to sunrise, and at such other times
12 when conditions such as fog, snow, sleet, or rain provide
13 insufficient lighting to render clearly discernible persons and
14 vehicles on the highway at a distance of 500 feet ahead. Code
15 section 321.397 requires front bicycle lamps to exhibit a white
16 light visible from a distance of at least 300 feet to the front
17 and rear bicycle lamps to exhibit a red light visible from a
18 distance of 300 feet to the rear. A red reflector may be used
19 in lieu of a rear lamp.

20 The bill allows a person to park an electric standup scooter
21 at any location where parking a bicycle is allowed. However,
22 the bill provides that by parking an electric standup scooter,
23 a person is prohibited from impeding the normal or reasonable
24 movement of pedestrian or other traffic.

25 A violation of the bill is punishable by a scheduled fine of
26 \$15.